

## 02-02-00

## INUATION OR DIVISIONAL APPLICATION WHERE ORIGINAL APPLICATION PAPERS ARE USED AS BASIC PAPERS AND

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## ORIGINAL APPLICATION IS NOT TO BE ABANDONED

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DOCKET NUMBER  ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION:09/378,221	ART UNIT:	24 PTC	
PHLY-24,913	CLASS	SUBLCASS	EXAMINER	2756	9/4949
					90=

Commissioner of Patents and Trademarks Washington, D.C. 20231 "EXPRESS MAIL" mailing label number <u>EL02/320861US</u>, <u>Date of Deposit 2/1/00</u>. Thereby certify that this paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee Service under 37 C.F.R. 1.10 on the date shown above and is addressed to the U.S. Commissioner of Patents and Trademarks Box Patent Application, Washington, DC 20231.

Gregory M. Howison

This is a Request for filing a X Continuation, \_ Divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 09/378,221, filed on August 19, 1999, entitled METHOD AND APPARATUS FOR ACCESSING A REMOTE LOCATION BY SCANNING AN OPTICAL CODE, by the following inventors:

mventois.					
FULL NAME OF	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME		
INVENTOR	Philyaw	Jeffry	Jovan		
RESIDENCE &	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP		
CITIZENSHIP	Dallas	Texas 75225	US		
POST OFFICE	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY		
ADDRESS	5968 West Northwest	Dallas	Texas 75225		
ADDRESS	Highway #1813				
FULL NAME OF	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME		
INVENTOR	Mathews	David	Kent		
RESIDENCE &	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP		
CITIZENSHIP	Carrollton	Texas 75007	US		
POST OFFICE	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY		
ADDRESS	3438 Livingston Lane	Carrollton	Texas 75007		

The above identified prior application has not yet issued, nor has abandonment of proceedings occurred.

1.	 Enter the amendment previously filed on	under 37 C.F.R.
	1.116 but unentered, in the prior application.	

2. X A preliminary amendment is enclosed.

3. <u>X</u> Please cancel claims <u>1-21</u> before calculating the filing fee.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1, 2 and 3 above.

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS	6 - 20 =	0	x \$9.00 =	\$.00

	INDEPENDENT , CLAIMS	B =	0	9.00 =	\$.00
'	,	•		BASIC FEE	+ \$345.00
				TOTAL	= \$345.00
	4.	charge any additional	fees or deficiencies i	sed in payment of the n fees or credit any ov 13 of HOWISON & H	erpayment to
	5			e the first sentence: /I	
*>	/	X Continuation,	Division of Applica	tion Serial No. <u>09/378</u>	,221, filed August
	6.	Priority of Applicatio is claimed under		, filed on	in
	7.	The prior application	is assigned of record	to <u>DigitalConvergenc</u>	e.com Inc.
מייי מייי מייי מייי מייי מייי מייי מיי	8X_	Applicant continues to assert small entity status as evidenced by the Verified Statement Claiming Small Entity Status which was filed in the prior application, a copy of which is attached hereto.			
: # F	9.	Please transfer the dra	awings from the prior	application to the nev	v application.
ניינו מיינו היי מיינו	10.	A true copy of what is shown in my records to be the above identified prior application as filed, including the oath or declaration as originally filed, is enclosed. (37 C.F.R. 1.60 (b) (2)) The copy of the prior application as filed and attached hereto consists of the following:  43 page(s) of specification  5 page(s) of claims  1 page(s) of abstract  13 page(s) of drawing			y filed, is enclosed.
	11	Also enclosed is:			
		Also enclosed: Request for month extension of time response, with fee of			
	12.	The power of attorney	y in the prior applicat	ion is to: <u>Gregory M.</u>	Howison.
		Address all future cor Gregory M. H HOWISON & P.O. Box 741 Dallas, Texas	owison : HANDLEY, L.L.P. 715		·

The undersigned states that the enclosed application papers comprise a true copy of the prior application as filed.

GREGORY M. HOWISON, Reg. No. 30,646

Inventor(s)

X Attorney or agent of record

Assignee of complete interest
Filed under 1.34(a)

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I hereby declare that I am an official of the small business concern identified below and am empowered to act on behalf of the concern:

DigitalConvergence.com Inc. 4264 Kellway Circle Addison, Texas 75244

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 C.F.R. § 1.9 (d), for purposes of paying reduced fees, in that (1) the number of employees of the concern including those of its affiliates, does not exceed 500 persons, and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the below-identified invention to any person who could not be classified as an independent inventor if the person had made the invention, or to any concern which would not qualify as a small business concern or as a nonprofit organization. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control the other, or a third party or parties control both.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHOD AND APPARATUS FOR ACCESSING A REMOTE LOCATION BY SCANNING AN OPTICAL CODE

and for which application for Letters Patent of the United States was filed August 19, 1999 and assigned Serial No. 09/378,221by inventor(s), Jeffry Jovan Philyaw and David Kent Mathews.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.29 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or any patent issuing thereon.

Digital@nvergence.com Inc.

Bv:

Jeffy Jovan Philyaw

Its:

Tresiden

Date: